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11 UNITED STATES DISTRICT COURT
12 DISTRICT OF NEVADA

13 James Anthony Davis,

14 Plaintiff,

15 v.

16 Michael Minev, *et al.*,

17 Defendants.
18
19

Case No. 2:22-cv-01796-RFB-DJA

**Second Motion to Extend Deadline
for Service (other parties take no
position)**

20
21 Pursuant to FRCP 4(m) and this Court's prior order (ECF 39), Mr. Davis
22 respectfully moves the Court to extend the deadline for serving Defendant Janice
23 Taylor-Easler by 27 days, until July 3, 2024. As good cause for this Motion, Mr. Davis
24 states as follows:
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26

STATEMENT OF FACTS IN SUPPORT OF MOTION

This is a §1983 action brought by Mr. Davis, a former state prisoner, against multiple defendants who were involved with his medical care at the Nevada Department of Corrections. The Attorney General for the State of Nevada represents and has accepted service for most of these Defendants (ECF 29, 35).

On May 6, 2024, Mr. Davis filed an unopposed motion to extend the service deadlines for the remaining two defendants, Dr. Leon Jackson, and Janice Taylor-Easton, by 30 days. ECF 37. The Court granted this Motion (ECF 39).

The Attorney General had stated they could not identify Defendant Jackson. Plaintiff however was able to locate and serve Defendant Jackson (ECF 40, 45). He is now represented by counsel, Alice Campos Mercado and Edward J. Lemons. (ECF 43).

The Attorney General had earlier submitted a sealed last-known address for Defendant Taylor-Easton. The Court's prior order had directed the clerk to issue a summons in the expectation that the Marshal would serve Defendant Taylor-Easton at her sealed address. (ECF 39).

The summons was issued (ECF 40). However, no notice of an executed or returned summons had been filed with the Court. On June 6, Counsel enquired with both the clerk's office and the Marshal's office regarding the status of service. It appears that the clerk had not notified the Marshal of the summons, and the Marshal did not know about it until today. Such notice was immediately provided, along with a completed USM-285 form. The Marshals office has confirmed that they will initiate service on the remaining defendant.

1 Given the circumstances, an extension of the deadline will be needed to effect
2 service. Plaintiff counsel respectfully requests a 27-day extension of service, until
3 July 3, 2024.

4 Counsel has conferred by email with Attorney Mercado and Deputy Attorney
5 General Hill, who represent the other parties in this case. Both state they cannot
6 stipulate to an extension, as they do not represent Defendant Taylor-Easton, but will
7 take no position on this motion.

8
9 **CONCLUSION**

10 Based on the foregoing and for good cause appearing, Mr. Davis respectfully
11 asks the Court to issue a summons and extend the deadline for service as explained
12 above.

13
14 Dated June 6, 2024

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16 Rene L. Valladares
17 Federal Public Defender

18 /s/ Ryan Norwood

19 Ryan Norwood
20 Assistant Federal Public Defender

21 **IT IS THEREFORE ORDERED** that Plaintiff's motion to extend time (ECF No. 46) is
22 **GRANTED**. Plaintiff shall have until **July 3, 2024** to serve Defendant Janice Taylor-
23 Easton. *See* Fed. R. Civ. P. 4(m).

24 

25 DANIEL J. ALBREGTS
26 UNITED STATES MAGISTRATE JUDGE

DATED: June 10, 2024